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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/029,921

12/27/2001

Srinivas Gutta

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05/30/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SHAW, PELING ANDY

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/029,921	GUTTA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Peling A. Shaw	2144	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

*pm*

**DETAILED ACTION**

1. Amendment received on 03/03/2006 has been entered. No claim is amended. Claims 1-26 are still pending.

***Priority***

2. This application has no priority claim made. The filing date is 12/27/2001.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 6, 8-10, 12, 16, 17, 19-21 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens et al. (US 6493744 B1), hereinafter referred as Emens, in view of Durden et al. (US 20040250272 A1), hereinafter referred as Durden.

- a. Regarding independent claims 1, 12, 23 and 24, Emens discloses the invention substantially as claimed. Emens discloses a method for determining access to an electronic media object from one of a local or remote source, comprising: analyzing at least one of audio and image information associated with said electronic media object (Emens teaches an electronic media object is identified as an HTML document, an audio file or an image file), (see Emens, Col. 3, lines 8-23, Col. 6, lines 17-63); and preventing a user from obtaining accessing said electronic media object if said analyzing step determines that said electronic media object contains one or more

predefined inappropriate content items (see Emens, Col. 2, lines 36-53, Col. 3, lines 64-Col. 4, lines 16, Col. 6, lines 28-63). Emens does not explicitly disclose allowing said user to access said electronic media object if said analyzing step determines that said electronic media object contains at least one predefined appropriate content item; wherein said analyzing step allows said access at least based on recognizing at least one person included in said predefined appropriate content.

- b. In the same field of endeavor, Durden discloses (e.g., system and method for controlling and managing programming content and portions thereof). Durden discloses allowing said user to access said electronic media object if said analyzing step determines that said electronic media object contains at least one predefined appropriate content item; wherein said analyzing step allows said access at least based on in said predefined appropriate content [see Durden, section 0069].
- c. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Durden's teachings of a system and method for controlling and managing programming content and portions thereof with the teachings of Emens, for the purpose of making the ratings and/or content data vary during the course of the program (see Durden, section 0008). As a person is recognizable by either voice or image recognition as specific content rating vector per Emens (abstract), Durden is shown to allow access based upon determining predefined appropriate content based upon content rating. By this rationale claims 1, 12, 23 and 24 are rejected.

- d. Regarding claims 5 and 16, Emens discloses further comprising the step of performing speech recognition on said electronic media object to determine if said electronic media object includes one or more predefined stop words (see Emens, Col. 3, lines 23-31, Col. 6, lines 17-37 and Col. 7, lines 18-25). By this rationale claims 5 and 16 are rejected.
- e. Regarding claim 6, Emens-Durden discloses further comprising the step of performing image processing on said electronic media object to determine if said electronic media object includes nudity (see rejection of claim 1, supra). By this rationale claim 6 is rejected.
- f. Regarding claim 8., Emens-Durden discloses further comprising the step of performing image processing on said electronic media object to determine said electronic media object includes sexually explicit images (see rejection of claim 6, supra). By this rationale claim 8 is rejected.
- g. Regarding claim 9, Emens-Durden discloses further comprising the step of performing image processing on said electronic media object electronic media object to determine if said electronic media object includes violent images (see rejection of claim 6, supra). By this rationale claim 9 is rejected.
- h. Regarding claims 10 and 21, Emens-Durden discloses wherein said electronic media object is obtained from a network connection (see Emens, Col. 8, lines 43-52). By this rationale claims 10 and 21 are rejected.
- i. Regarding claim 17, Emens-Durden discloses wherein said processor is further configured to perform image processing on said electronic media object to determine

if said electronic media object includes nudity (see rejection of claim 6, supra). By this rationale claim 17 is rejected.

- j. Regarding claim 19, Emens-Durden discloses wherein said processor is further configured to perform image processing on said electronic media object to determine if said electronic media object includes sexually explicit images (see rejection of claim 6, supra). By this rationale claim 19 is rejected.
- k. Regarding claim 20, Emens-Durden discloses wherein said processor is further configured to perform image processing on said electronic media object to determine if said electronic media object includes violent images (see rejection of claim 6, supra). By this rationale claim 20 is rejected.
- l. Regarding claims 25 and 26, Emens-Durden discloses wherein said at least one predefined appropriate content item includes at least one actor who appears in regular programming (see rejection of claims 1 and 12, supra). By this rationale claims 25 and 26 are rejected.

Together Emens and Durden disclosed all limitations of claims 1, 5, 6, 8-10, 12, 16, 17, 19-21 and 23-26. Claims 1, 5, 6, 8-10, 12, 16, 17, 19-21 and 23-26 are rejected under 35 U.S.C. 103(a).

- 4. Claims 2-4 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens-Durden as applied to claims 1 and 12 above, and further in view of Cragun et al. (US 5832212 A), hereinafter referred as Cragun.

- a. Regarding claims 2 and 13, Emens-Durden discloses the invention substantially as claimed. However, Emens-Durden does not explicitly disclose further comprising the step of storing a user profile indicating the Internet browsing privileges of said user.
- b. In the same field of endeavor, Cragun discloses (e.g., censoring browser method and apparatus for internet viewing). Cragun discloses further comprising the step of storing a user profile indicating the Internet browsing privileges of said user (see Cragun, Col. 2, lines 27-34 and Col. 3, lines 58-65).
- c. Accordingly, it would have been obvious to one of ordinary skill in the networking art to have incorporated Cragun's teachings of a censoring browser method and apparatus for internet viewing with the teachings of Emens-Durden for the purpose of a more efficient and effective user control in order to selectively censor information from the Internet. By this rationale claim 2 is rejected.
- d. Regarding claims 3 and 14, Emens-Durden and Cragun discloses wherein said user profile indicates categories of content that a user said user may access (see Cragun, Col. 3, lines 62-65 and Col. 8, lines 16-39). By this rationale claim 3 is rejected.
- e. Regarding claims 4 and 15, Emens-Durden and Cragun discloses further comprising the step of comparing said electronic media object to said Internet browsing privileges of said user (see Cragun, Col. 2, lines 29-34, Col. 3, lines 53-65 and Col. 4, lines 41-50). By this rationale claim 4 is rejected.

Together Emens, Durden and Cragun disclosed all limitations of claims 2-4 and 13-15.

Claims 2-4 and 13-15 are rejected under 35 U.S.C. 103(a).

Art Unit: 2144

5. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens-Durden as applied to claims 1, 6 and 12 above, and further in view of Forsyth ("Identifying nude pictures" Forsyth, D.A., Fleck, M.M.).

- a. Regarding claims 7 and 18, Emens-Durden discloses the invention substantially as claimed. However, Emens-Durden does not explicitly disclose wherein said nudity is determined by identifying human skin.
- b. In the same field of endeavor, Forsyth discloses determining nudity by identifying human skin (see Forsyth, pg. 103, Col. 2, lines 39-pg 104, Col. 1, line 1).
- c. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Forsyth's teachings of image processing with the teachings of Emens-Durden, for the purpose of controlling segmentation problems in image processing and the advantage of an effective recognition system that can work in quite general environments. By this rationale claim 7 is rejected.

Together Emens, Durden and Forsyth disclosed all limitations of claims 7 and 18. Claims 7 and 18 are rejected under 35 U.S.C. 103(a).

6. Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens-Durden as applied to claims 1 and 12 above, and further in view of PR Newswire (Worldlink Announces New Product for broadcasting audio and video).

- a. Regarding claims 11 and 22, Emens-Durden discloses the invention substantially as claimed. However, Emens-Durden does not explicitly disclose said electronic media object is generated in real-time by a camera.



Art Unit: 2144

- b. In the same field of endeavor, PR Newswire discloses an electronic media object generated in real-time by a camera (full text lines 5-8, 38-40, 42-45).
- c. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated PR Newswire with the invention of Emens-Durden, for the purpose of increasing public communication.

Together Emens, Durden and PR Newswire disclosed all limitations of claims 11 and 22.

Claims 11 and 22 are rejected under 35 U.S.C. 103(a).

*Response to Arguments*

7. Applicant's arguments filed on 03/03/2006 have been fully considered, but they are not persuasive.
  - a. Applicant has alleged that Durden does not teach or suggest "allowing said user to access said electronic media object if said analyzing step determining that said electronic media object contains at least one predefined appropriate content item; wherein said analyzing step allows said access at least based on recognizing at least one person included in said predefined appropriate content". In response, the above rejection is updated from what was in the previous office action under the same set of arts as in the previous office action. Emens has shown (abstract) content rating vectors are used for audio or image recognizable objects. As a person is either an audio and/or image recognizable object, the content rating vector per Emens can be applied to a person as the person is chosen to be an object of a content rating. Thus Durden's application of content rating in allowing a user to access a certain content could be combined with Emens' object rating application (applied to a person here) in rejecting applicant alleged argument with respect to claim 1 and similarly claims 12 and 23-24.
  - b. Applicant's other arguments are based on the same argument on claim 1, the above response applies to those arguments.

***Remarks***

8. The following pertaining arts are discovered and not used in this office action. Office reserves the right to use these arts in later actions.

- a. Liang (US 20010044818 A1) System and method for identifying and blocking pornographic and other web content on the internet
- b. Tso (US 6742047 B1) Method and apparatus for dynamically filtering network content
- c. Emens et al. (US 6295559 B1) Rating hypermedia for objectionable content
- d. Russell-Falla et al. (US 6266664 B1) Method for scanning, analyzing and rating digital information content
- e. Cirasole et al. (US 5987606 A) Method and system for content filtering information retrieved from an internet computer network
- f. Baker et al. (US 5678041 A) System and method for restricting user access rights on the internet based on rating information stored in a relational database

*Conclusion*

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2144

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Wm. C. Vaughn, Jr.*  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER